

MAR 19 2010

FILED

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	ORDER SUSPENDING
	)	CERTIFICATE OF AUTHORITY
PETITIONER,	)	
	)	
VS.	)	
	)	CAUSE NO. C-1825
DAKOTA HOMESTEAD TITLE	)	
INSURANCE COMPANY,	)	
	)	
RESPONDENT.	)	
	)	

Dakota Homestead Title Insurance Company is a South Dakota domestic insurance company holding a Certificate of Authority to transact the business of insurance in Nebraska.

NEB. REV. STAT. §§ 44-134 and 44-1989 allows the Department of Insurance to suspend or revoke a certificate of authority of a foreign or alien company to do business in this state whenever any of the grounds mentioned in NEB. REV. STAT. §§ 44-4809, 44-4812, or 44-4817 exist as to a foreign or alien company.

On or about March 1, 2010, in the annual report of financial condition, Dakota Homestead Title Insurance Company reported total capital and surplus of \$552,886 as of year end December 31, 2009. Pursuant to NEB. REV. STAT. § 44-1985, Dakota Homestead Title Insurance Company is required to maintain minimum total capital and surplus of not less than \$2,000,000.

As a result of these developments, the Director of Insurance for the State of Nebraska has reasonable cause to believe that Dakota Homestead Title Insurance Company has failed to adequately maintain the minimum necessary amount of total capital and surplus required under Nebraska law and is authorized to suspend the Certificate of Authority of Dakota Homestead Title Insurance Company, a foreign insurer, pursuant to NEB. REV. STAT. §§ 44-134, 44-1989 and 44-4801 et seq. on the basis of such findings.


NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to NEB. REV. STAT. §§ 44-134, 44-1989 and 44-4801 et seq. that the Nebraska Certificate of Authority held by Dakota Homestead Title Insurance Company is hereby suspended. Accordingly, Dakota Homestead Title Insurance Company shall cease writing any new business in Nebraska.

IT IS FURTHER ORDERED that Dakota Homestead Title Insurance Company shall have ten days from the date this Order is received to seek administrative review of this Order by making a written request to the Director of Insurance for the State of Nebraska for a hearing on this matter.

IT IS FURTHER ORDERED that Dakota Homestead Title Insurance Company shall immediately notify its appointed agents of this Order and its terms and shall provide verification to the Director of Insurance for the State of Nebraska of the completion of this requirement within five days of the final disposition of this Order which shall occur either at the expiration of the 10 days with no hearing request or upon the issuance of an order following a hearing.

Dated this 19<sup>th</sup> day of March 2010.

DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

  
Ann M. Frohman  
Director of Insurance

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Order Suspending Certificate of Authority was served upon Chad L. Hansen, registered agent for service of process for Dakota Homestead Life Insurance Company, at 315 South Phillips Avenue, Sioux Falls, South Dakota 57104, by certified mail, return-receipt requested this 19<sup>th</sup> day of March 2010.

I hereby further certify that a copy of the foregoing Order Suspending Certificate of Authority was served upon the Nebraska Property and Liability Guaranty Fund, by U.S. Mail, first class, this 19<sup>th</sup> day of March 2010.

I hereby further certify that a copy of the foregoing Order Suspending Certificate of Authority was served upon the Merle D. Scheiber, Director of the South Dakota Division of Insurance of the Department of Revenue and Regulation, at 445 East Capitol Avenue, Pierre, South Dakota 57501, by U.S. Mail, first class, this 19<sup>th</sup> day of March 2010.

A handwritten signature in blue ink, reading "Tracy A. Huhn", is written over a horizontal line.